

REMARKS

Upon entry of the above-amendment, claims 1-2, 6-9, 18-19, 22, 31-32, 35-38, and 44-49 will have been amended. Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections together with an indication of the allowability of all of the claims in the present application, in due course.

In the Official Action, the Examiner rejected claims 1-9, 11-22, 27-29, and 31-49 under 35 U.S.C. §103(a) as being unpatentable over BARNETT et al. (U.S. Patent No. 6,336,099) in view of SHOFF et al. (U.S. Patent No. 6,240,555). In addition, the Examiner rejected claims 10 and 24-26 under 35 U.S.C. §103(a) as being unpatentable over BARNETT et al. in view of SHOFF et al. (as applied to claim 6) and in further view of VOTICKY et al. (U.S. Patent No. 6,438,751). The Examiner rejected claim 30 under 35 U.S.C. §103(a) as being unpatentable over BARNETT et al. in view of SHOFF et al. (as applied to claim 29) and in view of MARTIN, JR. et al. (U.S. Patent No. 6,564,147).

Applicant, however, respectfully traverses each of the above rejections and submits that they are inappropriate with respect to the claims pending in the present application.

In this regard, Applicant submits that the present invention, as recited in at least claims 1-17, 20-21, 29-30, and 47-48, comprises, inter alia, transmitting identifying data particular to the selected data to an information management apparatus. Contrary to the Examiner's assertions, Applicant submits that the user specific data of BARNETT is not particular to the selected data. Rather, in BARNETT, the user specific data includes information such as a user's name, social security number, or online service address

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(e.g., column 7, lines 22-35). That is, the user specific data of BARNETT is particular to the user, but not particular to the selected data. As BARNETT fails to disclose or suggest at least this feature, Applicant respectfully requests withdrawal of the rejection.

Additionally, Applicant submits that, as recited in claim 31, the information providing apparatus, the information receiving device, and the information management apparatus are distinct. However, Applicant notes that the rejection of at least claim 31 is inappropriate as the rejection set forth does not take into account the recited distinctness of these devices. In this regard, for example, the Examiner interpreted the Online Communication (44) to be the retrieval device, as recited. Further, the Examiner interpreted the information providing apparatus, as recited, to be met by the Online Service Provider (2) of BARNETT. However, as illustrated in Figure 6, the Online Communication (44) is included as one of the main features of the Online Service Provider (2). That is, the rejection is inappropriate as the rejection relies upon the Online Service Provider and a part thereof (i.e. the Online Communication 44) as meeting the distinct features of the information providing apparatus and the retrieval device (which is included in the information management apparatus), as recited in claim 31 as being distinct from each other. Thus, as the interpretation of the BARNETT reference is improper, Applicant respectfully requests withdrawal of the rejection.

In addition, Applicant requests further clarification regarding the rejection of claims 32-34. In this regard, Applicant submits that it is unclear as to what teachings of BARNETT the Examiner is relying upon with respect to an information management apparatus that transmits information to a communications terminal by calling out

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information on a basis of a particular code or a code related to the particular code, as recited in claims 32-34. In this regard, Applicant respectfully requests the Examiner to point out the specific teachings and citations of BARNETT that disclose at least the above-mentioned features or withdraw the rejection of the claims.

Furthermore, Applicant submits that the information management apparatus, as recited in at least claims 35-37, 39, and 41-42, comprises a television receiver or set top box that receives the various kinds of information. However, Applicant submits that the remote personal computer of BARNETT, as relied upon by the Examiner in setting forth the rejection, is not a television receiver or set-top box, as recited. Rather, Applicant submits that a television receiver and a set-top box are distinguishable from the remote personal computer taught by BARNETT and thus requests withdrawal of the rejection of at least the above-mentioned claims.

With respect to the rejection of at least claims 44-46, Applicant submits that it is unclear as to what the Examiner interprets in the applied references to be an information management apparatus that transmits managed information to a communications terminal on the basis of the particular code or a code related to the particular code, as recited in the claims. Accordingly, Applicant respectfully requests that the Examiner specifically point out the portions of the reference with respect to at least the above-mentioned features (e.g. particular code or code related to the particular code), which were asserted to be taught by the reference.

Additionally, Applicant submits that the data management system, as recited in at least claims 49 and 24-26, includes an information receiving apparatus that receives

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various kinds of information and that selects predetermined information from among the various kinds of information in response to a selection made by a remote controller. In this regard, Applicant notes that the Examiner has interpreted the remote personal computer (6) to be the information receiving apparatus, as recited in the claims. However, BARNETT does not disclose selecting predetermined information based upon a selection made by a remote controller.

Applicant further submits that an aspect of the present invention, as recited in the claims, relates to a providing arrangement that is a unidirectional communication. However, BARNETT and SHOFF, taken alone or in combination, fail to disclose or suggest at least this feature, as recited. Rather, BARNETT is directed towards providing coupons via Online Service Provider (2) and the Internet. Further, SHOFF is directed towards providing supplemental content via hypermedia. Accordingly, as BARNETT and SHOFF fail to disclose at least a unidirectional communication, as recited in the claimed combinations, Applicant respectfully requests withdrawal of the rejections together with an indication of the allowability of all pending claims.

Moreover, in order for the Examiner to support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references. As the Examiner has neither shown in the rejection that the references suggest the claimed invention nor presented a

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convincing line of reasoning, Applicant respectfully requests withdrawal of the rejection together with an indication of the allowability of all pending claims.

In this regard, Applicant submits that the Examiner has not provided motivation with respect to why one would modify the coupon distribution system of BARNETT to incorporate a television broadcast arrangement, as taught by SHOFF, to transmit coupons in a television type arrangement to enable the user to scroll through to retrieve the desired information. Such motivation or a convincing line of reasoning is essential, as BARNETT is not directed towards providing television broadcasts or a continuous video content programs. Also, SHOFF does not disclose using his system for transmitting or distributing coupons to users.

In view of the amendments and arguments herein, Applicant submits that each of the independent claims are in condition for allowance. Furthermore, the Applicant asserts that each of the dependent claims are allowable on their own merit, as well as because they depend either directly or indirectly from an independent claim which Applicant has shown to be allowable.

Therefore, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested.

SUMMARY AND CONCLUSION

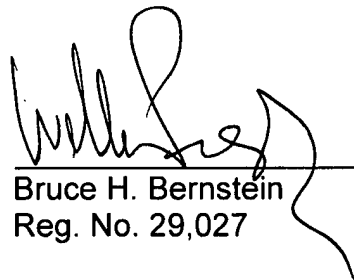
Applicant believes that the present application is in condition for allowance, and respectfully requests an indication to that effect. Applicant has amended the claims to enhance clarity and argued their allowability. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the recited claims therein are respectfully requested and now believed to be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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